

Exhibit A

July 25 2012 2:27 PM

KEVIN STOCK
COUNTY CLERK
NO: 12-2-11266-1

SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY
CASE COVER SHEET / CIVIL CASES

Case Title DEBORAH CAHILL M.D. VS. FRANCISCAN
HEALTH SYSTEM A WASHINGTON NON Case Number 12-2-11266-1
Atty/Litigant KENNETH SCOTT KAGAN Bar # 12983 Phone (206) 622-8020
Address 701 5th Ave Ste 3600
City SEATTLE State WA Zip 98104

Please check one category that best describes this case for indexing purposes.

If you cannot determine the appropriate category, please describe the cause of action below. This will create a Miscellaneous cause which is not subject to PCLR 3.

APPEAL / REVIEW

- ☐ Administrative Law Review (ALR 2) REV 6
☐ Civil, Non-Traffic (LCA 2) REV 6
☐ Civil, Traffic (LCI 2) REV 6
☐ Land Use Petition (LUP 2) LUPA

CONTRACT / COMMERCIAL

- ☐ ♦Breach of Contract, Commercial Non-Contract
or Commercial-Contract (COM 2) STANDARD
☐ Third Party Collection (COL 2) REV 4

JUDGMENT

- ☐ ♦Judgment, Another County or Abstract
Only (ABJ 2) Non PCLR
☐ Transcript of Judgment (TRJ 2) Non PCLR
☐ ♦Foreign Judgment Civil or Judgement,
Another State (FJU 2) Non PCLR

TORT / MOTOR VEHICLE

- ☐ ♦Death, Non-Death Injuries or Property
Damage Only (TMV 2) STANDARD

TORT / NON MOTOR VEHICLE

- ☐ Other Malpractice (MAL 2) COMPLEX
☒ Personal Injury (PIN 2) STANDARD
☐ Property Damage (PRP 2) STANDARD
☐ Wrongful Death (WDE 2) STANDARD
☐ ♦Other Tort, Products Liability or Asbestos
(TTO 2) COMPLEX

MISCELLANEOUS

PROPERTY RIGHTS

- ☐ Condemnation (CON 2) STANDARD
☐ Foreclosure (FOR 2) REV 4
☐ Property Fairness (PFA 2) STANDARD
☐ Quiet Title (QTI 2) STANDARD
☐ Unlawful Detainer / Eviction (UND 2) REV 4
☐ Unlawful Detainer / Contested (UND 2) REV 4

OTHER COMPLAINT OR PETITION

- ☐ ♦Compel/Confirm Bind Arbitration, Deposit of Surplus Funds,
Interpleader, Subpoenas, Victims' Employment Leave, or
Wireless Number Disclosure (MSC 2) REV 4
☐ Injunction (INJ 2) REV 4
☐ Malicious Harassment (MHA 2) Non PCLR
☐ Meretricious Relationship (MER 2) REV 4
☐ Minor Settlement/No Guardianship (MST2) REV 4
☐ Pet for Civil Commit/Sex Predator (PCC2) REV 4
☐ Property Damage Gangs (PRG 2) REV 4
☐ Seizure of Property/Comm. of Crime (SPC2) REV 4
☐ Seizure of Property Result from Crime (SPR2) REV 4

TORT / MEDICAL MALPRACTICE

- ☐ ♦Hospital, Medical Doctor, or Other Health Care Professional
(MED2) COMPLEX

WRIT

- ☐ Habeas Corpus (WHC 2) REV 4
☐ Mandamus (WRM 2) REV 4
☐ Review (WRV 2) REV 4
☐ Miscellaneous Writ (WMW 2) REV 4

July 25 2012 2:27 PM

KEVIN STOCK
COUNTY CLERK
NO: 12-2-11266-1

SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN THE COUNTY OF PIERCE

DEBORAH CAHILL, M.D.,

Plaintiff,

v.

FRANCISCAN HEALTH SYSTEM, a
Washington non-profit corporation,

Defendant.

NO.

COMPLAINT

For her cause of action against Franciscan Health System, Plaintiff Deborah Cahill, M.D. alleges as follows:

PARTIES

1. Plaintiff, Deborah Cahill, M.D., is an experienced, well-respected Board Certified Obstetrician and Gynecologist who has enjoyed a rewarding and distinguished career devoted to caring for the health of women in her community, irrespective of their ability to pay. Over three years ago, Dr. Cahill voluntarily sought treatment with the Washington Physicians Health Program for treatment of alcoholism and has maintained continuous sobriety since enrollment. Dr. Cahill is a resident of King County, Washington, and a physician duly licensed under the laws of the State of Washington.

2. Defendant Franciscan Health System (hereinafter "FHS") is a large hospital chain and health system organized as a tax-exempt non-profit under IRS Code 501(c)(3) and

COMPLAINT - 1

CARNEY
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SPELLMAN

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1 is based in Tacoma, Washington. Defendant FHS owns and operates five full-service
2 hospitals including St. Joseph Medical Center, which is located in Tacoma, Washington.

3 **JURISDICTION AND VENUE**

4 3. Plaintiff re-alleges all allegations set forth in paragraphs 1 through 2 above.

5 4. Pursuant to RCW 2.08.010 and 4.12, *et seq.*, this Court has subject matter
6 jurisdiction and personal jurisdiction over Defendant FHS in this lawsuit.

7 5. Venue properly lies in the Superior Court for Pierce County, Washington.

8 **FACTS**

9 6. Dr. Cahill is a physician, licensed to practice medicine in Washington since
10 December 14, 1984, and Board Certified in the specialty of obstetrics/gynecology.

11 7. Defendant FHS is a non-profit IRS Code 501(c)(3) organization.

12 8. Defendant FHS owns and operates five full-service hospitals including St.
13 Joseph Medical Center, which is located in Tacoma, WA. As a full-service hospital, St.
14 Joseph Medical Center has an Obstetrics/Gynecology (OB/GYN) Department.

15 9. Defendant FHS and St. Joseph Medical Center receive federal funds.

16 10. Washington Physicians Health Program (hereinafter "WPHP") is a non-profit
17 organization. It was founded by the Washington State Medical Association in 1986 to reach
18 out to troubled colleagues. WPHP, which fulfills the role specified in RCW 18.130.175 for a
19 "voluntary substance abuse monitoring program" acting under the authority of the
20 Department of Health, helps identify, refer for evaluation or treatment, monitor the recovery,
21 and endorse the safety of healthcare practitioners who have a condition, mental or physical,
22 which could affect their ability to practice with reasonable skill and safety. WPHP, with its
23 comprehensive curriculum and success rate for long-term sobriety, has gained national
24 recognition and widespread support.

25
26 COMPLAINT - 2

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1 11. In March, 2009, Dr. Cahill voluntarily, and without any patient care *sequelae*,
2 sought treatment for alcoholism from WPHP with a five-year commitment to ongoing
3 monitoring as required by the wellness program.

4 12. Dr. Cahill has been committed to her recovery, 100% sober and consistently
5 compliant with the intense monitoring component of the WPHP ever since and in accordance
6 with its strict written protocols, including, but not limited to, submission to random urine tests
7 and regular attendance at WPHP-facilitated meetings. Dr. Cahill's written monitoring
8 agreement with WPHP will terminate in July, 2014.

9 13. After many years in private practice, Dr. Cahill decided to shift her career focus
10 to the role of an OB/GYN Hospitalist to become part of a team that provides care to the
11 uninsured population. To that end, in August of 2010, Dr. Cahill applied for a position with
12 OB Hospitalist Group, a national physician group that specializes in caring for the obstetrical
13 and gynecological needs of patients, to provide coverage for the OB/GYN hospitalist
14 program at St. Joseph Medical Center.

15 14. OB Hospitalist Group had contracted with Defendant FHS and/or St. Joseph
16 Medical Center to provide Board Certified physicians in the specialty of obstetrics and
17 gynecology to augment the staffing of St. Joseph Medical Center's OB/GYN Department.

18 15. Dr. Cahill accepted an offer of a position with OB Hospitalist Group and
19 signed a contract with OB Hospitalist Group (OB Contract) to cover a minimum of two shifts
20 per month in the OB/GYN Department of St. Joseph Medical Center.

21 16. The OB Contract required Dr. Cahill to apply for and receive Medical Staff
22 privileges from Defendant FHS.

23 17. Dr. Cahill timely applied for staff privileges and supplied the requested
24 information concerning her licensure, education, training, experience, current competence,
25 health status, and malpractice history. Dr. Cahill signed the required release and consent for
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COMPLAINT - 3

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1 Defendant FHS to verify her credentials. As part of Dr. Cahill's application, she was
2 forthright and fully disclosed her monitoring agreement with WPHP without reservation.

3 18. Defendant FHS knew that Dr. Cahill was applying for Medical Staff privileges
4 pursuant to her OB Hospitalist Group Contract.

5 19. By letter dated October 25, 2010, Defendant FHS, with the approval of the
6 Vice President of Medical Affairs and Associate Chief Medical Officer at St. Joseph Medical
7 Center, informed Dr. Cahill that Defendant FHS "cannot complete your application for staff
8 membership" and that Dr. Cahill "can consider reapplying" for Medical Staff privileges when
9 Dr. Cahill's monitoring agreement with WPHP expires.

10 20. In September and October 2011, Defendant FHS confirmed that it "did not
11 complete the processing" of Dr. Cahill's application for medical staff privileges solely
12 because Dr. Cahill had a monitoring agreement with WPHP evidencing that Dr. Cahill had
13 sought treatment for alcoholism and was a recovering alcoholic.

14 21. At no time did Defendant FHS conduct any individualized assessment of
15 Dr. Cahill's ability to practice medicine with reasonable skill and safety consistent with the
16 standards of Defendant FHS and its bylaws.

17 22. Defendant FHS never made an effort to ascertain what modifications to the
18 Hospitalist position or grant of Medical Staff privileges, if any, were plausible to
19 accommodate Dr. Cahill's actual, record of, or perceived disability as a person suffering from
20 alcoholism.

21 23. Defendant FHS based its decision to not complete the processing of
22 Dr. Cahill's application for Medical Staff privileges on arbitrary and generalized fears about
23 alcoholics. Defendant FHS's refusal to complete the processing of Dr. Cahill's application is
24 tantamount to a denial of privileges.

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COMPLAINT - 4

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1 24. As a direct result of the discriminatory inaction of Defendant FHS, Dr. Cahill
2 could not fulfill her obligations or perform the requested services under the OB Hospitalist
3 Group Contract.

4 25. The discriminatory inaction of Defendant FHS induced or caused a breach or
5 termination of the OB Hospitalist Group Contract.

6 **FIRST CAUSE OF ACTION:**

7 **Disability Discrimination Under RCW 49.60.030(1)(a)**

8 26. Plaintiff Cahill re-alleges all allegations set forth above.

9 27. Plaintiff Cahill has a disability, a record of a disability, or has been regarded
10 by Defendant FHS as having a disability covered by Washington's Law Against
11 Discrimination.

12 28. By denying Plaintiff Cahill equal opportunity to complete her application for,
13 or benefit from, Medical Staff privileges with Defendant FHS on the basis of her disability,
14 Defendant FHS discriminated against Plaintiff Cahill in the performance of her OB
15 Hospitalist Group Contract to provide services to Defendant FHS.

16 29. Plaintiff Cahill has sustained damages as a result of Defendant's unlawful
17 conduct and discriminatory inaction.

18 **SECOND CAUSE OF ACTION:**

19 **Disability Discrimination Under RCW 49.60.030(1)(b)**

20 30. Plaintiff re-alleges all allegations set forth above.

21 31. Plaintiff Cahill has a disability, a record of a disability, or has been regarded
22 by Defendant FHS as having a disability covered by Washington's Law Against
23 Discrimination.

24 32. Defendant FHS owns and operates St. Joseph Medical Center in Tacoma, WA,
25 a place of public accommodation.

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COMPLAINT – 5

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1 33. Defendant FHS discriminated against Plaintiff Cahill by denying her equal
2 opportunity to complete her application for, or benefit from, Medical Staff privileges at St.
3 Joseph Medical Center on the basis of her disability.

4 34. Plaintiff Cahill has sustained damages as a result of Defendant's unlawful
5 conduct and discriminatory inaction.

6 **THIRD CAUSE OF ACTION:**

7 **Disability Discrimination Under Title III of the Americans with Disabilities Act (ADA),**

8 **42 U.S.C. § 12181, et seq.**

9 35. Plaintiff re-alleges all allegations set forth above.

10 36. Plaintiff Cahill has a disability, a record of a disability, or has been regarded
11 by Defendant as having a disability covered by the ADA.

12 37. Defendant FHS owns and operates St. Joseph Medical Center in Tacoma, WA,
13 a place of public accommodation.

14 38. Defendant FHS discriminated against Plaintiff Cahill by denying her a full and
15 equal opportunity to complete the processing of her application for, or benefit from, Medical
16 Staff privileges at St. Joseph Medical Center on the basis of her disability.

17 **FOURTH CAUSE OF ACTION:**

18 **Disability Discrimination Under the Rehabilitation Act, 29 U.S.C. § 794(a)**

19 39. Plaintiff Cahill re-alleges all allegations set forth above.

20 40. Plaintiff Cahill has a disability within the meaning of the Rehabilitation Act.

21 41. Plaintiff Cahill is licensed, Board Certified, and is otherwise qualified to
22 practice medicine in a hospitalist position in the State of Washington in the specialty of
23 obstetrics/gynecology.

24 42. Defendant FHS refused to complete the processing of Plaintiff Cahill's
25 application for Medical Staff privileges with Defendant FHS solely on the basis of her
26

1 disability, whether her current disability, her record of a disability, and/or Defendant FHS
2 regarding her as disabled.

3 43. Defendant FHS receives federal funds.

4 44. Plaintiff Cahill has sustained damages as a result of Defendant's unlawful
5 conduct and discriminatory inaction.

6 **FIFTH CAUSE OF ACTION:**

7 **Tortious Interference With a Business Expectancy**

8 45. Plaintiff Cahill re-alleges all allegations set forth above.

9 46. The contract between Plaintiff Cahill and OB Hospitalist Group was a valid
10 contractual relationship or business expectancy.

11 47. Defendant FHS had knowledge of the OB Hospitalist Group Contract and the
12 business relationship between Plaintiff Cahill and OB Hospitalist Group.

13 48. Defendant's unlawful conduct and discriminatory inaction in refusing to
14 complete the processing of Plaintiff Cahill's application for Medical Staff privileges with
15 Defendant FHS solely on the basis of her disability, whether her current disability, her record
16 of a disability, and/or Defendant FHS regarding her as disabled, was intentional interference
17 that induced or caused a breach or termination of the OB Hospitalist Contract with Plaintiff
18 Cahill.

19 49. Defendant's unlawful conduct and discriminatory inaction were improper
20 means of interfering with the contractual relationship between Plaintiff Cahill and OB
21 Hospitalist Group.

22 50. Plaintiff Cahill has sustained damages as a result of Defendant's interference.

23 **SIXTH CAUSE OF ACTION:**

24 **Violation of the Consumer Protection Act, RCW 19.86 et seq.**

25 51. Plaintiff Cahill re-alleges all allegations set forth above.

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COMPLAINT - 7

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52. Defendant's unlawful conduct and discriminatory inaction violates RCW 49.60.030(1) and is thus statutorily *per se* "a matter affecting the public interest, is not reasonable in relation to the development and preservation of business, and is an unfair or deceptive act in trade or commerce." RCW 49.60.030(3).

53. Plaintiff Cahill has sustained damages to her business or property as a direct result of Defendant's unfair trade practice – its unlawful conduct and discriminatory inaction in refusing to complete the processing of Plaintiff Cahill's application for Medical Staff privileges with Defendant FHS solely on the basis of her disability, whether her current disability, her record of a disability, and/or Defendant FHS regarding her as disabled.,

PRAYER FOR RELIEF

WHEREFORE, having fully stated her causes of action, Plaintiff prays for judgment as follows:

1. Loss of income, wages and other compensation;
2. Damages for emotional distress, mental anguish, loss of reputation and professional standing;
3. An Order enjoining Defendant FHS from declining to process Dr. Cahill's application for Medical Staff privileges based on her disability;
4. All other non-economic damages available under any and all of the available causes of action;
5. Costs and attorneys' fees pursuant to RCW 49.60.030(2), 42 U.S.C. § 12181, *et seq.*, the Rehabilitation Act, and the Consumer Protection Act;
6. All allowable exemplary and punitive damages; and
7. For such other and further relief as the Court deems just and equitable under the circumstances.

COMPLAINT - 8

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1 DATED this 25th day of July, 2012.

2
3 **CARNEY BADLEY SPELLMAN, P.S.**

4
5
6 By Kenneth S. Kagan
7 Kenneth S. Kagan, WSBA No. 12983
8 Elizabeth K. Maurer, WSBA No. 21973
9 Attorneys for Plaintiff Deborah Cahill, M.D.

10 **PHYSICIANS ADVOCATES**

11 Charles Bond
12 Jane Luciano
13 Attorneys for Plaintiff Deborah Cahill, M.D.
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COMPLAINT - 9

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August 27 2012 11:17 AM

KEVIN STOCK
COUNTY CLERK
NO: 12-2-11266-1

**SUPERIOR COURT, IN AND FOR THE COUNTY OF PIERCE, STATE OF
WASHINGTON**

DEBORAH CAHILL, M.D.

Plaintiff/Petitioner

Cause #: 12-2-11266-1

vs.
FRANCISCAN HEALTH SYSTEM

Defendant/Respondent

Declaration of Service of:

SUMMONS; COMPLAINT; ORDER SETTING CASE
SCHEDULE

Hearing Date:

Declaration:

The undersigned hereby declares: That s(he) is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

On the date and time of Aug 23 2012 10:43AM at the address of 1801 WESTBAY DR NW SUITE 206 OLYMPIA, within the County of THURSTON, State of WASHINGTON, the declarant duly served the above described documents upon CT CORPORATION SYSTEM as Registered Agent for FRANCISCAN HEALTH SYSTEM by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with JEFF MINER AGENT AUTHORIZED TO ACCEPT SERVICE FOR REGISTERED AGENT.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: August 24, 2012 at Tumwater, WA

by


R. Toye

Service Fee Total: \$ 79.50



ABC Legal Services, Inc.
206 521-9000
Tracking #: 3361557



**ORIGINAL
PROOF OF SERVICE**

Page 1 of 1

CAH005.0001
Carney, Badley Smith Etal
701 5th Ave, #3600
Seattle, WA 98104
206 622-8020

July 25 2012 12:27 PM

KEVIN STOCK
COUNTY CLERK
NO: 12-2-11266-1

SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN THE COUNTY OF PIERCE

DEBORAH CAHILL, M.D.,

Plaintiff,

v.

FRANCISCAN HEALTH SYSTEM, a
Washington non-profit corporation,

Defendant.

NO.

SUMMONS

THE STATE OF WASHINGTON TO: CT CORPORATION, Registered Agent for
FRANCISCAN HEALTH SYSTEM

A lawsuit has been started against you in the above-entitled Court by Plaintiff Deborah Cahill, M.D. Plaintiff's claim is stated in the written Complaint, a copy of which is served upon you with this Summons.

In order to defend against this lawsuit, you must respond to the Complaint by stating your defense in writing and by serving a copy upon the person signing this Summons within twenty (20) days after the service of this Summons, excluding the day of service, or a default judgment may be entered against you without notice. A default judgment is one where plaintiff is entitled to what has been asked for because you have not responded. If you serve a notice of appearance on the undersigned person, you are entitled to notice before a default judgment may be entered.

You may demand that the plaintiff file this lawsuit with the Court. If you do so, the demand must be in writing and must be served upon the person signing this Summons. Within fourteen (14) days after you serve the demand, the plaintiff must file this lawsuit with the Court, or the service on you of this Summons and Complaint will be void.

SUMMONS - 1

CARNEY
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1 If you wish to seek the advice of an attorney in this matter, you should do so promptly
2 so that your written response, if any, may be served on time.

3 THIS SUMMONS is issued pursuant to Rule 4 of the Superior Court Civil Rules of
4 the State of Washington.

5 DATED this 25th day of July, 2012.

6 **CARNEY BADLEY SPELLMAN, P.S.**

7
8 By Kenneth S. Kagan
9 Kenneth S. Kagan, WSBA No. 12983
10 Elizabeth K. Maurer, WSBA No. 21973
11 Attorneys for Plaintiff, Deborah Cahill, M.D.
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SUMMONS - 2

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR PIERCE COUNTY

July 25 2012 2:27 PM

DEBORAH CAHILL M.D.

Plaintiff(s)

Vs.

FRANCISCAN HEALTH SYSTEM A WASHINGTON
NON-PROF

Defendant(s)

No. 12-2-11266-1

ORDER SETTING CASE SCHEDULE

Type of case: PIN
Estimated Trial (days):
Track Assignment: Standard
Assignment Department: 09
Docket Code: ORSCS

KEVIN STOCK
COUNTY CLERK
NO: 12-2-11266-1

Confirmation of Service	8/22/2012
Confirmation of Joinder of Parties, Claims and Defenses	11/21/2012
Jury Demand	11/28/2012
Status Conference (Contact Court for Specific Date)	Week of 12/19/2012
Plaintiff's/Petitioner's Disclosure of Primary Witnesses	1/16/2013
Defendant's/Respondent's Disclosure of Primary Witnesses	2/13/2013
Disclosure of Rebuttal Witnesses	4/3/2013
Deadline for Filing Motion to Adjust Trial Date	5/1/2013
Discovery Cutoff	6/5/2013
Exchange of Witness and Exhibit Lists and Documentary Exhibits	6/19/2013
Deadline to file Certificate or Declaration re: Alternative Dispute Resolution (PCLR 16 (c)(3))	6/26/2013
Deadline for Hearing Dispositive Pretrial Motions	6/26/2013
Joint Statement of Evidence	6/26/2013
Pretrial Conference (Contact Court for Specific Date)	Week of 7/10/2013
Trial	7/24/2013 9:00

Unless otherwise instructed, ALL Attorneys/Parties shall report to the trial court at 9:00 AM on the date of trial.

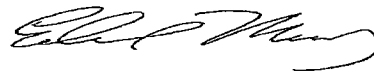
NOTICE TO PLAINTIFF/PETITIONER

If the case has been filed, the plaintiff shall serve a copy of the Case Schedule on the defendant(s) with the summons and complaint/petition: Provided that in those cases where service is by publication the plaintiff shall serve the Case Schedule within five (5) court days of service of the defendant's first response/appearance. If the case has not been filed, but an initial pleading is served, the Case Schedule shall be served within five (5) court days of filing. See PCLR 3.

NOTICE TO ALL PARTIES

All attorneys and parties shall make themselves familiar with the Pierce County Local Rules, particularly those relating to case scheduling. Compliance with the scheduling rules is mandatory and failure to comply shall result in sanctions appropriate to the violation. If a statement of arbitrability is filed, PCLR 3 does not apply while the case is in arbitration.

Dated: July 25, 2012



Judge EDMUND MURPHY
Department 09

August 31 2012 1:19 PM

KEVIN STOCK
The Honorable Edmund Murphy, CLERK
NO: 12-2-11266-1

SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

DEBORAH CAHILL, M.D.,

Plaintiff,

vs.

FRANCISCAN HEALTH SYSTEM, a
Washington non-profit corporation,

Defendant.

NO. 12-2-11266-1

NOTICE OF APPEARANCE

COMES NOW, Defendant FRANCISCAN HEALTH SYSTEM, and without waiver of proper service or any other affirmative defense herewith, enter an appearance in the above-entitled action through Bruce W. Megard, Jr., Michael Madden and Bennett Bigelow & Leedom, P.S., attorneys of record, and request that all further pleadings herein be served upon said attorneys at their office address below stated:

Bruce W. Megard, Jr.
Bennett Bigelow & Leedom, P.S.
1700 Seventh Avenue, Suite 1900
Seattle, WA 98101-1387
(206) 622-5511
bmegard@bblaw.com

You are not authorized to serve pleadings or papers by use of facsimile or electronic mail unless specifically negotiated with an attorney in the firm. Where authorized, service by facsimile or electronic mail will only be accepted Monday through Friday, 8:00 a.m. through 4:30 p.m. Pacific time.

1 DATED this 31 day of August, 2012.

2 BENNETT BIGELOW & LEEDOM, P.S.

3
4 By 

5 Bruce W. Megard, Jr., WSBA #27560

6 Michael Madden, WSBA #8747

7 Attorneys for Defendant Franciscan Health
8 System
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1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certifies under penalty of perjury under the laws of the State
3 of Washington, that she is now, and at all times material hereto, a citizen of the United
4 States, a resident of the State of Washington, over the age of 18 years, not a party to, nor
interested in the above entitled action, and competent to be a witness herein.

5 I caused to be served this date the foregoing in the manner indicated to the parties
6 listed below:

7 Kenneth S. Kagan, WSBA #12983
8 Elizabeth K. Maurer, WSBA #21973
9 Carney Badley Spellman
701 Fifth Avenue, Suite 3600
Seattle, WA 98104-7010

☐ Legal Messenger
☐ Facsimile
☐ Email
☒ 1st Class Mail
☐ Federal Express

10 Attorneys for Plaintiff

11 Dated in Seattle, Washington this 31st day of August, 2012.

12
13 
14 Lori J. Yniguez
Legal Assistant

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17 {1680.00016/M0675236.DOCX; 1}
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